

PROVIDING FOR THE SEPARATION OF THE STATE UNIVERSITY AND THE AGRICULTURAL AND MECHANICAL COLLEGE, AND FOR BOND ISSUES BY EACH.

H. J. R. No. 29.] HOUSE JOINT RESOLUTION.

A Joint Resolution to amend Article 7, Sections 10, 11, 12, 13, 14 and 15 of the Constitution of the State of Texas, which article relates to education, and which sections provide for the establishment and support of the University of Texas, the Agricultural and Mechanical College of Texas, and for a branch college for the instruction of colored youths; provides that the Texas State Medical College and the School of Mines at El Paso, shall be branches of the University of Texas; provides that said University, said Agricultural and Mechanical College, and said College of Industrial Arts shall be separate State institutions and independent in organization; provides for the sale of the lands belonging to the University of Texas permanent fund, and for the division of the proceeds of such sale and all securities between the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View Normal and Industrial College; directs that the respective parts of each shall become the permanent fund of each institution and how it shall be invested; provides that the University of Texas and the Agricultural and Mechanical College of Texas may utilize the permanent fund of each as a basis for the issuance of bonds for improvements, and for redemption of such bonds from the income of such permanent funds; provides that the governing board of the Agricultural and Mechanical College may make provisions for permanent buildings for the Prairie View Normal and Industrial College from the proceeds of bond issues by the said Agricultural and Mechanical College; and declares said Prairie View Normal and Industrial College a constitutional branch of the Agricultural and Mechanical College; provides that the Legislature shall make provisions by appropriation for the maintenance and development of the University of Texas and the Agricultural and Mechanical College and for the development and support of the College of Industrial Arts, the Normal Schools, the Prairie View State Normal and Industrial College; provides for the authority to the University of Texas and the Agricultural and Mechanical College, pending division of the University endowment, to issue bonds redeemable from the income of the endowment, and granting authority to the Legislature to make appropriations to supply any deficiency; provides that the Legislature shall give encouragement and direction to the development of a University of the first class, and an Agricultural and Mechanical College of the first class and a College of Industrial Arts of the first class; provides for the submission of this proposed amendment to the Constitution to the people, fixing the date for election to be held, and making an appropriation to pay the expense of said election.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. That Sections 10, 11, 12, 13, 14 and 15 of Article VII of the Constitution of the State of Texas, which Article relates to education, and which sections provide for the establishment and support of the University of Texas, the Agricultural and Mechanical College of Texas, and a branch college or university for the instruction of colored youths, be amended to read as follows:

Section 10. In pursuance of constitutional authority and direction the State having established the University of Texas at Austin, in Travis County; the Agricultural and Mechanical College of Texas at College Station, in Brazos County; and the Prairie View State Normal and Industrial College for the instruction of colored youths of the State at Prairie View, in Waller County; and the Legislature having established

the College of Industrial Arts at Denton, in Denton County, the said University of Texas, the said Agricultural and Mechanical College of Texas, and the said College of Industrial Arts for white girls, are hereby declared separate State institutions and independent in organization. The Texas State Medical College, located at Galveston, in Galveston County, and the School of Mines, located at El Paso in El Paso County, are constituted branches of the University of Texas. The Prairie View State Normal and Industrial College for the instruction of colored youths is constituted a branch of the Agricultural and Mechanical College of Texas.

Section 11. To better enable the University of Texas and its constitutional branches; the Agricultural and Mechanical College of Texas and the Prairie View State Normal and Industrial College, to fulfill the purposes for which created, all lands and other property heretofore set apart and appropriated for the establishment, endowment, and maintenance of the University of Texas and its constitutional branches, together with the proceeds of the sale of such lands heretofore made, or hereafter to be made, for the support and benefit of either institution, shall constitute a permanent fund for the University of Texas, the Agricultural and Mechanical College of Texas, and for the Prairie View State Normal and Industrial College; provided, that when the permanent University endowment shall, by constitutional and statutory authority, be apportioned to the institutions named it shall be divided between the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal and Industrial College in the following manner: To the University of Texas, sixty-six and two-thirds ( $66\frac{2}{3}$ ) per cent, and to the Agricultural and Mechanical College of Texas, thirty-three and one-third ( $33\frac{1}{3}$ ) per cent; and the governing board of the Agricultural and Mechanical College of Texas shall apportion to the Prairie View State Normal and Industrial College for colored youths such part of, or interest in, the said thirty-three and one-third ( $33\frac{1}{3}$ ) per cent as may be determined equitable by said governing board. The principal of all funds accruing to each institution from the division of the University endowment under the provisions of this section shall, whenever the said endowment is divided, constitute the permanent fund of each, and shall be invested as the permanent public free school fund is now or may hereafter be authorized by law to be invested; and the governing boards of the University of Texas and the Agricultural and Mechanical College of Texas shall be authorized, with the approval of the Governor, and in the manner to be provided by law, to issue bonds for permanent improvements, such bond issues to be based upon the permanent funds of the institution issuing them; and the governing board of each institution shall make provision from the income derivable from its permanent fund for the payment of all bonds issued under its authority as may be provided by law.

Sec. 12. The lands set apart to the University fund shall be sold under such regulations, at such times, and on such terms as may be provided by law; and the Legislature shall provide for the prompt collection, at maturity, of all debts due on account of University lands heretofore sold, or that may hereafter be sold, and shall in neither event have the power to grant relief to the purchasers. And, until such time as the University endowment fund shall be divided, in accordance

with constitutional and statutory authority, the proceeds from the sale of lands, as realized and received into the Treasury of the State, together with such sum belonging to the funds as may now be in the Treasury, shall be invested as the permanent public free school fund is now or may hereafter be authorized by law to be invested; and the interest accruing thereon, and any income from the use of the said University lands, shall be subject to appropriation by the Legislature, and may be available for the redemption of bonds based on the University endowment and to be redeemed from the said interest and income from the use of land, as may be provided by law, to aid in the construction, equipment and maintenance of the University of Texas and the Agricultural and Mechanical College of Texas, and the total of such bond issues outstanding shall at no time exceed four and one-half million dollars, and the Legislature is hereby authorized to appropriate out of the general revenues of the State such moneys as may be necessary to cover deficiencies in the interest and sinking fund accounts of the bond issues herein provided for. Provided, that the one-tenth of the alternate sections of the lands granted to railroads, reserved by the State, which were set apart and appropriated to the establishment of "The University of Texas" by an Act of the Legislature of February 11, 1858, entitled "An Act to Establish 'The University of Texas,'" shall not be included in or constitute a part of the permanent University fund.

Sec. 13. The Legislature shall provide by appropriation for the equipment, maintenance, and development of the University of Texas, and the branches of the said institution named in this Article and such other branches as may hereafter be established by law; for the Agricultural and Mechanical College of Texas and its branches as now or hereafter may be established by law; for the College of Industrial Arts for the education of White Girls; for State Normal Schools; and for the Prairie View State Normal and Industrial College for colored youths.

Sec. 14. The Legislature shall give encouragement and direction to and make provision for the educational activities of the respective State Institutions provided for in this Article, and as may be adequate for the promotion of literature and the arts and sciences, pure and applied, and for instruction in the professions, of a University of the first class; and for instruction in all those branches of learning which relate to agriculture, animal husbandry, the natural sciences, pure and applied, connected therewith, the mechanic arts and military science and tactics, requisite to the development of an Agricultural and Mechanical College of the first class; and for the education of white girls in the literary branches, the arts and sciences, and in social and domestic economy of the age, as may be necessary to establish and maintain a College of Industrial Arts of the first class for white girls, and for instruction in all the branches requisite to the development of normal schools of the first class.

Sec. 15. The Prairie View State Normal and Industrial College for the instruction of colored youths of the State, having been located at Prairie View, in Waller County, as a branch of the University of Texas, is hereby declared a branch of the Agricultural and Mechanical College of Texas. And in lieu of the separate apportionment of a part of the University endowment, as authorized in Section 11 hereof, the said Board of Directors of the Agricultural and Mechanical College may ap-

portion to the Prairie View State Normal and Industrial College such part of any fund realized from any authorized bond issue by the Board for the purpose of permanent improvements as the Board may determine to be equitable and the fund so apportioned shall be available only for the purpose of constructing permanent improvements for the said Prairie View State Normal and Industrial College.

SEC. 2. The Governor of this State is hereby directed to issue and have published the necessary proclamation for the submission of this proposed amendment to the Constitution of the State, to the qualified voters of the State, said election to be held throughout the State on the first Tuesday in November, 1919, and all voters favoring the amendment shall have written or printed on their ballots the words:

"For the amendments to Sections 10, 11, 12, 13, 14 and 15 of Art. VII of the Constitution of the State of Texas, fixing the constitutional status of the University of Texas, the Agricultural and Mechanical College of Texas, the College of Industrial Arts at Denton, Texas; the Sam Houston Normal Institute at Huntsville, Texas; the North Texas State Normal at Denton, Texas; the Southwest Texas State Normal at San Marcos, Texas; the West Texas State Normal at Canyon, Texas, and the East Texas State Normal at Commerce, Texas, and other state educational institutions, and determining the interest, respectively, of the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal and Industrial College in the University permanent fund; and providing for the support, direction, and development of State Educational Institutions.

Those opposing the amendment shall have written or printed on their ballots the words:

"Against the amendments to Sections 10, 11, 12, 13, 14 and 15 of Article VII of the Constitution of the State of Texas, fixing the constitutional status of the University of Texas, the Agricultural and Mechanical College of Texas, the College of Industrial Arts at Denton, Texas; the Sam Houston Normal Institute at Huntsville, Texas; the North Texas State Normal at Denton, Texas; the Southwest Texas State Normal at San Marcos, Texas; the West Texas State Normal at Canyon, Texas, and the East Texas State Normal at Commerce, Texas, and other state educational institutions and determining the interest, respectively, of the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal and Industrial College in the University permanent fund; and providing for the support, direction, and development of State educational institutions.

SEC. 3. The Governor is hereby directed to submit this amendment to the qualified voters at an election to be held throughout the State on the date herein specified, and the sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated

out of the general revenue not otherwise appropriated, for the purpose of issuing the proclamation and publishing the amendment as required by the Constitution and laws of this State.

[NOTE.—H. J. R. No. 29 passed the House of Representatives by a  $\frac{2}{3}$  vote, yeas 103, nays 12; and passed the Senate with amendments by a  $\frac{2}{3}$  vote, yeas 27, nays 0; the House refused to concur in Senate amendments and a conference committee was appointed, and its report adopted by the Senate by a vote of 26 yeas and 0 nays, and by the House by a vote of 106 yeas and 6 nays.]

Approved March 18, 1919.

#### RELATING TO CONFEDERATE PENSIONS AND INCREASING TAX RATE FOR PAYMENT OF SAME.

H. J. R. No. 35.]      HOUSE JOINT RESOLUTION.

Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate Soldiers, sailors, and their widows, who have been citizens of Texas prior to Jan. 1, 1910, providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (\$.07) cents on the \$100.00 valuation of property in this State for the payment of such pension, providing that the Legislature may reduce the rate of pension for such purpose, fixing a time for the election to be held on such amendment, and making appropriation to pay the expenses thereof.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. That Section 51 of Article 3 of the Constitution of the State of Texas shall be amended so as to hereafter read as follows:

Sec. 51. The Legislature shall have no power to make any grant or authorize the making of any grant of public money to any individual, association of individuals, municipal or other corporations whatsoever, provided however, the Legislature may grant aid to indigent or disabled Confederate soldiers and sailors, who came to Texas prior to January 1, 1910, and to their widows, in indigent circumstances and who have been bona fide residents of this State since January 1, 1910, and who were married to such soldiers or sailors prior to January 1, 1910, and to indigent and disabled soldiers who under special laws of the State of Texas during the war between the States served in organizations for the protection of the Frontier against Indian raiders or Mexican marauders and to indigent and disabled soldiers of the militia of the State of Texas who were in active service during the war between the States and to the widows of such soldiers who are in indigent circumstances and who were married to such soldiers prior to January 1, 1910, provided that the word "widow" in the preceding lines of this section shall not apply to women born since the year 1866, and all soldiers and sailors and widows of soldiers and sailors eligible under the above conditions shall be entitled to be placed upon the pension rolls